



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,662	09/30/2003	Truc Nguyen	66329/00008	5004
23380 7590 01/14/2008 TUCKER ELLIS & WEST LLP 1150 HUNTINGTON BUILDING 925 EUCLID AVENUE CLEVELAND, OH 44115-1414			EXAMINER HANG, VU B	
			ART UNIT 2625	PAPER NUMBER
			NOTIFICATION DATE 01/14/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@tuckerellis.com
mary.erne@tuckerellis.com

Office Action Summary	Application No. 10/674,662	Applicant(s) NGUYEN ET AL.	
	Examiner Vu B. Hang	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7 and 9-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7 and 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- This office action is responsive to the communication filed on 10/16/2007.
- The amendments received on 10/16/2007 have been entered and made of record.
- Claims 2, 8 and 12-22 have been cancelled.
- Claims 1, 3-7 and 9-11 are pending in the application.

Response to Arguments

1. Applicant's arguments filed on 10/16/2007, with respect to the amended Claims 1 and 7, have been fully considered and are persuasive. Therefore, the previous rejections of Claims 1, 3-7 and 9-11 have been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Bhogal et al. (US Patent 7,088,462 B2).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1, 3-7 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry et al. (US Patent 7,099,027 B1) in view of Bhogal et al. (US Patent 7,088,462 B2).

4. Regarding Claims 1 and 7, Barry discloses a system for printing electronic files (see Fig.6 and Col.1, Line 46-54), comprising: a means adapted for receiving an

electronic file, wherein the electronic file is representative of an electronic document (see Fig.6 (602,604) and Col.11, Line 60-67); a means adapted for prompting a user for print setting information corresponding to the electronic file, the print setting information including output destination (see Fig.6 (616), Fig.19 (1902), Col.12, Line 6-12 and Col.22, Line 19-33); a means adapted for generating print setting information data (see Fig.6 (616,618), Col.3, Line 59-61, Col.4, Line 16-20 and Col.12, Line 6-9); a means adapted for storing the generated print setting information data in an associated storage (see Fig.6 (606,622), Col.11, Line 60-67 and Col.12, Line 21-36); an association means adapted for associating the print setting information data with the electronic file (see Fig.20 (2004) and Col.23, Line 4-18); a conversion means adapted for converting the electronic file to an image file (see Fig.1b (150), Fig.6 (610) and Col.3, Line 38-50); means adapted for creating a print job in accordance with the image file and the print setting information data (see Fig.6 and Col.11, Line 60 – Col.12, Line 24); means adapted for receiving data representative of a user request to select the print job for output to at least one selected destination (see Fig.19, Col.12, Line 6-9, Col.22, Line 19-33 and Col.23, Line 32-36), the at least one selected destination including at least one of printed copy of the document , an e-mail inclusive of the image file, and an electronic copy of the image file (see Fig.20 and Col.24, Line 2-20); and a means adapted for receiving data representative of a user request to output the print job (see Fig.19, Col.12, Line 6-9, Col.22, Line 19-33 and Col.23, Line 32-36).

5. Barry fails to expressly disclose a means receiving primary and secondary output request data; a means for retrieving, from the associated storage, the print setting information data corresponding to the electronic file in accordance with a received output

request data; and a means for outputting a first copy of the image file in accordance with primary output request data or the second copy of the image file in accordance with secondary output request data. Barry, however, teaches routing the print jobs to the appropriate printers in accordance with print setting information data provided by user inputs (see Col.12, Line 6-12, Col.23, Line 55-63 and Col.31, Line 51-65). Bhogal discloses a means receiving primary and secondary output request data for routing the print jobs to the appropriate printers (see Fig.4 (400,408,410), Fig.5 and Col.6, Line 50-67); a means for retrieving, from the associated storage, the print setting information data corresponding to the electronic file in accordance with a received output request data (see Fig.4 (412,418), Fig.5 and Col.6, Line 50 - Col.7, Line 8); and a means for outputting a first copy of the image file in accordance with primary output request data or the second copy of the image file in accordance with secondary output request data (see Fig.4 (408,410), Fig.5 and Col.6, Line 50 - Col.7, Line 8).

6. Barry and Bhogal are combinable because they are from the same field of endeavor, namely printing data processing systems. At the time of the invention, it would have been obvious for one skilled in the art to include to Barry's system, a means receiving primary and secondary output request data; a means for retrieving, from the associated storage, the print setting information data corresponding to the electronic file in accordance with a received output request data; and a means for outputting a first copy of the image file in accordance with primary output request data or the second copy of the image file in accordance with secondary output request data. The motivation would be to enable a user to create print setting data for routing the print jobs to the appropriate printers if the user decides to do so, and to automatically set a default print setting when

the user decides not create the print setting data. Customized printing for documents would be possible as print jobs can be routed to specific printers for printing in accordance with the print setting information provided by the user. A default print setting would route the print job to a default printer for basic printing.

7. Regarding **Claims 3 and 9**, Barry further discloses the at least one command is in printer job language format (see Fig.6 (604,610) and Col.4, Line 42-59).

8. Regarding **Claims 4 and 10**, Barry further discloses the means adapted for creating a print job includes a print driver (see Fig.1a (102) and Col.3, Line 3-5).

9. Regarding **Claim 5**, Barry further discloses the system comprises a storage means adapted for storing the print jobs (see Fig.6 (606,622), Col.11, Line 60-67 and Col.12, Line 21-23).

10. Regarding **Claims 6 and 11**, Barry further discloses the system further comprising: a means adapted for receiving at least one additional electronic file, wherein the at least one additional electronic file is representative of an electronic document (see Fig.1a (108), Fig.1b (118,140), Fig.6 (602,604), Col.5, Line 4-28 and Col.11, Line 60-67); a means for specifying at least one additional print setting information (see Fig.1b (140), Fig.19 (1902), Col.5, Line 4-28, Col.12, Line 6-9, Col.22, Line 19-33 and Col.23, Line 32-36); a means adapted for creating at least one additional print job by associating the at least one additional electronic file with the specified print setting information (see Fig.1b (142,146, 151), Fig.6, Col.5, Line 4-28 and Col.11, Line 60 – Col.12, Line 24); a means adapted for receiving data representative of a user request to select the at least one additional print job (see Fig.19, Col.12, Line 6-9, Col.22, Line 19-33 and Col.23, Line 32-36); and a means adapted for receiving data representative of a user request to output

the at least one additional print job (see Fig.19, Col.12, Line 6-9, Col.22, Line 19-33 and Col.23, Line 32-36).

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

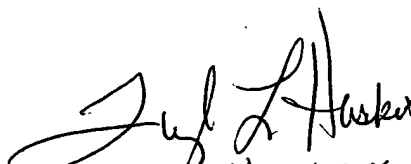
12. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu B. Hang whose telephone number is (571) 272-0582. The examiner can normally be reached on Monday-Friday, 9:00am - 6:00pm.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vu Hang
Assistant Examiner



TWYLER LAMB HASKINS
SUPERVISORY PATENT EXAMINER